

**FAMILY PRESERVATION SERVICES****AMENDMENTS - OPTION 1**

2009 GENERAL SESSION

STATE OF UTAH

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**LONG TITLE****General Description:**

This bill amends the Services to People With Disabilities chapter of the Utah Human Services Code to extend the ending date of the pilot program for the provision of family preservation services.

**Highlighted Provisions:**

This bill:

- ▶ extends the ending and repeal date of the pilot program for the provision of family preservation services from 2009 to 2014; and
- ▶ changes, from 2008 to 2013, the date that:
  - the director of the Division of Services for People with Disabilities is required to report to the Health and Human Services Interim Committee on the pilot program for the provision of family preservation services; and
  - the Health and Human Services Interim Committee is required to review the report described in the preceding paragraph and determine whether the pilot program for the provision of family preservation services should be converted into an ongoing program.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**62A-5-103.2**, as last amended by Laws of Utah 2008, Chapter 382

**63I-1-262**, as last amended by Laws of Utah 2008, Chapter 136 and renumbered and amended by Laws of Utah 2008, Chapter 382

*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **62A-5-103.2** is amended to read:

**62A-5-103.2. Pilot program for family preservation services.**

(1) There is established a pilot program for the provision of family preservation services to a person with a disability and that person's family, beginning on July 1, 2007, and ending on July 1, ~~2009~~ 2014.

(2) The family preservation services described in Subsection (1) may include:

- (a) family skill building classes;
- (b) respite hours for class attendance; or
- (c) professional intervention.

(3) The division shall make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, as necessary for the implementation and administration of this section.

(4) In accordance with Subsection (5), within funds appropriated by the Legislature for the pilot program described in this section, the division shall provide family preservation services to a person with a disability, and that person's family, if that person:

- (a) is eligible to receive services from the division;
- (b) has applied for, and is willing to receive, services from the division;
- (c) is not receiving other ongoing services from the division;
- (d) is not able to receive sufficient family preservation services from other sources;
- (e) is determined by the division to be a person who would substantially benefit from the provision of family preservation services; and
- (f) does not require the provision of other ongoing services from the division in order to substantially benefit from the provision of family preservation services.

(5) (a) The division shall provide family preservation services under this section outside of the prioritization criteria established by the division for the receipt of other services from the division.

(b) The division shall establish criteria to determine the priority, between persons eligible for services under this section, for receiving services under this section.

(6) It is the intent of the Legislature that the services provided under the pilot program

63 described in this section:

64 (a) shall be provided separately from the Medicaid program described in Title XIX of  
65 the Social Security Act;

66 (b) may not be supported with Medicaid funds;

67 (c) may not be provided as part of a Medicaid waiver;

68 (d) do not constitute an entitlement of any kind; and

69 (e) may be withdrawn from a person at any time.

70 (7) The director of the division shall report to the Health and Human Services Interim  
71 Committee during the [~~2008~~] 2013 interim regarding:

72 (a) the operation and accomplishments of the pilot program described in this section;

73 (b) whether the Legislature should convert the pilot program to an ongoing program  
74 within the division; and

75 (c) recommendations for changes, if any, related to the pilot program.

76 (8) During the [~~2008~~] 2013 interim, the Health and Human Services Interim  
77 Committee shall:

78 (a) hear or review the report described in Subsection (7); and

79 (b) determine whether the pilot program described in this section should be converted  
80 into an ongoing program within the division.

81 Section 2. Section **63I-1-262** is amended to read:

82 **63I-1-262. Repeal dates, Title 62A.**

83 (1) Section 62A-5-103.1, Program for provision of supported employment services, is  
84 repealed July 1, 2013.

85 (2) Section 62A-5-103.2, Pilot program for family preservation services, is repealed  
86 July 1, [~~2009~~] 2014.